



UNITED STATES PATENT AND TRADEMARK OFFICE

DFU

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/470,603 | 12/22/1999 | David J. Bova | 20720-103793 | 6359 |

7590 12/07/2004

Karen J Messick Esq
c/o KOS Pharmaceuticals Inc
1001 Brickell Bay Drive
25th Floor
Miami, FL 33133



EXAMINER

JOYNES, ROBERT M

ART UNIT PAPER NUMBER

1615

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication

Application No.

09 470,603

Applicant(s)

Examiner

Art Unit

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

1. ☒ The amendment filed on 06-15-2004 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1)

and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

A. Marty Willis

Publishing Division
Publishing Division



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

BIBDATASHEET

Bib Data Sheet

CONFIRMATION NO. 6359

| | | | | |
|------------------------------------|---|---------------------|-------------------------------|--|
| SERIAL NUMBER 09/470,603 | FILING OR 371(c) DATE 12/22/1999 RULE | CLASS 424 | GROUP ART UNIT 1615 | ATTORNEY DOCKET NO. 20720-103793 |
|------------------------------------|---|---------------------|-------------------------------|--|

APPLICANTS

David J. Bova, Hollywood, FL;

**** CONTINUING DATA *******

This application is a CON of 08/814,974 03/06/1997 PAT 6,129,930
 which is a CON of 08/368,378 01/14/1995 PAT 6,080,428
 which is a CIP of 08/124,392 09/20/1993 ABN

**** FOREIGN APPLICATIONS *********IF REQUIRED, FOREIGN FILING LICENSE GRANTED ****

02/15/2000

| | | | | |
|---|-----------------------------------|---------------------------|-------------------------------|------------------------------------|
| Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no | STATE OR COUNTRY FL | SHEETS DRAWING | TOTAL CLAIMS 12 | INDEPENDENT CLAIMS 1 |
| 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance | | | | |
| Verified and Acknowledged <u> </u> <u> </u> Examiner's Signature Initials | | | | |

ADDRESS

Karen J Messick Esq
 c/o KOS Pharmaceuticals Inc
 1001 Brickell Bay Drive
 25th Floor
 Miami ,FL 33133

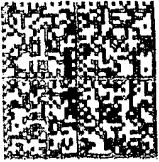
TITLE

NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND RELATED METHODS THEREFOR

| | | |
|---------------------------------------|---|--|
| FILING FEE RECEIVED 445 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | <input type="checkbox"/> All Fees |
| | | <input type="checkbox"/> 1.16 Fees (Filing) |
| | | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |
| | | <input type="checkbox"/> 1.18 Fees (Issue) |
| | | <input type="checkbox"/> Other _____ |
| | | <input type="checkbox"/> Credit |

BEST AVAILABLE COPY

U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300
UNITED STATES POSTAGE
02 1A
\$00.390
0004204799 FEB 02 2006
MAILED FROM ZIP CODE 22202



AN EQUAL OPPORTUNITY EMPLOYER

Organization _____ Bldg./Room _____
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
Alexandria, VA. 22313-1450
If Undeliverable Return In Ten Days

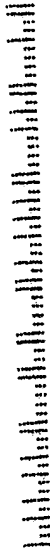
Official Business
Penalty For Private Use, \$300

RECEIVED

FEB 16 2006

USPTO MAIL CENTER

331310296 1804 06 02/11/06
KOS-001 TIME EXP RTN TO SEND
FORWARD PHARMACEUTICALS
2300 N COMMERCE PKWY STE 300
WESTON FL 33326-3258



33131+2909-0013 2022050